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BILL NO. Z-97-01-05

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ZONING MAP ORDINANCE NO. Z-02-97

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AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. O-2.

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BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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SECTION 1. That the area described as follows is hereby designated an M-3 (Heavy Industrial)
District under the terms of Chapter 157 Title XV of the Code of the City of Fort Wayne, Indiana of 1974:

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Lots Numbered 219 and 220 in Eliza Hanna Sr.'s Addition to the City of Fort Wayne, excepting
therefrom the South 12 feet taken for alley purposes appearing in the Declaration Resolution No. 15;
together with Lots Numbered 221 through 236, inclusive, and Lot 251, all in Eliza Hanna Sr.'s Addition,
including the vacated alley adjoining said Lots Numbered 221 through 236, inclusive, and Lot 251,
which said alley was vacated by the Allen Circuit Court Cause No. 25593.

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Together with that part of vacated Chute Street lying between Lots 225 and 226, which said street was
vacated by Allen Circuit Court Cause No. 25593, according to the plat thereof recorded in Deed
Record 60, pages 262-263, in the office of the Recorder of Allen County, Indiana.

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Also, including the East one-half of vacated Gay street, lying westerly of Lot 236 in Eliza Hanna Sr.'s
Addition and the vacated 12 foot alley lying South thereof, said Gay Street vacated by General
Ordinance G-24-86, City of Fort Wayne.

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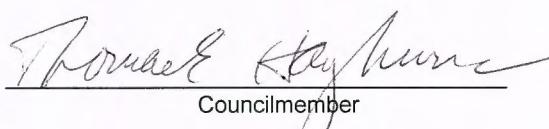
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and the symbols of the City of Fort Wayne Zoning Map No. O-2, as established by Section 157.016 of Title
XV of the Code of the City of Fort Wayne, Indiana are hereby changed accordingly.

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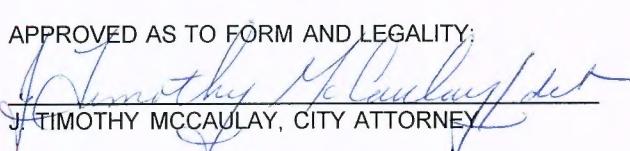
SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and
approval by the Mayor.

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Councilmember

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APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY McCAULAY, CITY ATTORNEY

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Read the first time in full and on motion by Hayhurst, and duly adopted, read the second time by title and referred to the Committee on Legislators (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of March, o'clock M., E.S.T.

DATED: 1-14-97

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Hayhurst, and duly adopted, placed on its passage. PASSED 10:30 by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS				<u>1</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY				<u>2</u>
RAVINE				<u>1</u>
SCHMIDT	<u>✓</u>			

DATED: 3-11-97.

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 2-02-97.

on the 11th day of March, 19 97

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Paul Heimke
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 12th day of March, 19 97, at the hour of 10:00 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 13th day of March, 19 97, at the hour of 9:30 o'clock A.M., E.S.T.

Paul Heimke
PAUL HEIMKE, MAYOR



~~11/6/96~~

#18531

Petition for a Zoning Map Amendment

Community & Economic Development / 1 Main Street Rm #830 / Fort Wayne IN 46802 / (219) 427-1129

I/We

do hereby petition to amend the Zoning Map of the City of Fort Wayne Indiana, by reclassifying from designation
a/an: M1

to a/an: M3

designation the property located at the common street address of: 1140 Hayden Street
and further described as follows: See Attached Page

(Please attach a legal description if more space is needed.)

The purpose of this rezoning is to permit the use of the property for the following: Folding Carton
Manufacturing

Property Owner(s) Name(s): RidgePak Corp., Flashfold Packaging Group

Street Address: 1140 Hayden Street

City: Fort Wayne

State: IN

Zip Code: 46803

Phone: 423-9431

I/We the undersigned, do hereby certify that I am/we are the owner(s) of more than fifty percent (50%) of the property described in this petition; that I/We agree to abide by all provisions of the Fort Wayne Zoning Ordinance as well as all procedures and policies of the Fort Wayne City Plan Commission as relating to the handling and disposition of this petition; and that the above information is true and accurate to the best of my/our knowledge.

Robert A. Bellair
Signature

Robert A. Bellair
Printed Name

11/7/96
Date

Signature _____ Printed Name _____ Date _____

Signature _____ Printed Name _____ Date _____

Notes to the Applicant:

- If additional space is needed for either a legal description, or property owners names addresses and signatures, please attach same to this form.
- All requests and deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice being submitted to the newspaper for publication.
- Filing of this petition grants the City of Fort Wayne permission to post "Official Notice" on the petitioned property. Failure to post, or to maintain posting may prevent the public hearing from being held.
- All checks should be made payable to: CITY OF FORT WAYNE.

Name and Address of preparer, attorney or agent.Steve Erxleben1140 Hayden StreetFort Wayne, IN 46803423-9431 ext 336Telephone NumberReceipt #:Date Filed:Map #:Reference #:

Description of Property Petitioned for Rezoning

Lots numbered 219 and 220 in Eliza Hanna SR's Addition to the City of Fort Wayne, excepting therefrom the South 12 feet taken for alley purposes appearing in the Declaration Resolution No. 15; together with Lots Numbered 221 through 236, inclusive, and Lot 251, all in Eliza Hanna SR's Addition, including the vacated alley adjoining said Lots Numbered 221 through 236, inclusive, and Lot 251, which said alley was vacated by the Allen Circuit Court Cause No. 25593.

Together with that part of vacated Chute Street lying between lots 225 and 226, which said street was vacated by Allen Circuit Court Cause No. 25593, according to the plat thereof recorded in Deed Record 60, pages 262-263, in the office of the Recorder of Allen County, Indiana.

Also including the East one-half of vacated Gay Street, lying Westerly of Lot 236 in Eliza Hanna SR's Addition and the vacated 12 foot alley lying South thereof, said Gay Street vacated by General Ordinance G-24-86, City of Fort Wayne.

RESOLUTION OF ZONING MAP AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on January 14, 1997 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-97-01-05; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 27, 1997.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a **DO PASS** recommendation based on the Commission's following "Findings of Fact".

1) Approval of the request will be in substantial compliance with the City of Fort Wayne Comprehensive Plan, and should not establish an undesirable precedent in the area.

Approval will encourage reinvestment in the existing facility and future expansion.

2) Approval of the request will not have an adverse impact on the current conditions in the area, or the character of current structures and uses in the area.

The general area is an existing mix of residential and non-residential uses. Approval would allow an expansion of an existing facility in a logical manner.

3) Approval is consistent with the preservation of property values in the area. Approval will allow future expansion potential on the south side of Hayden Street, abutting the existing railroad tracks.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution — to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 3, 1997.

Certified and signed this
5th day of February 1997.

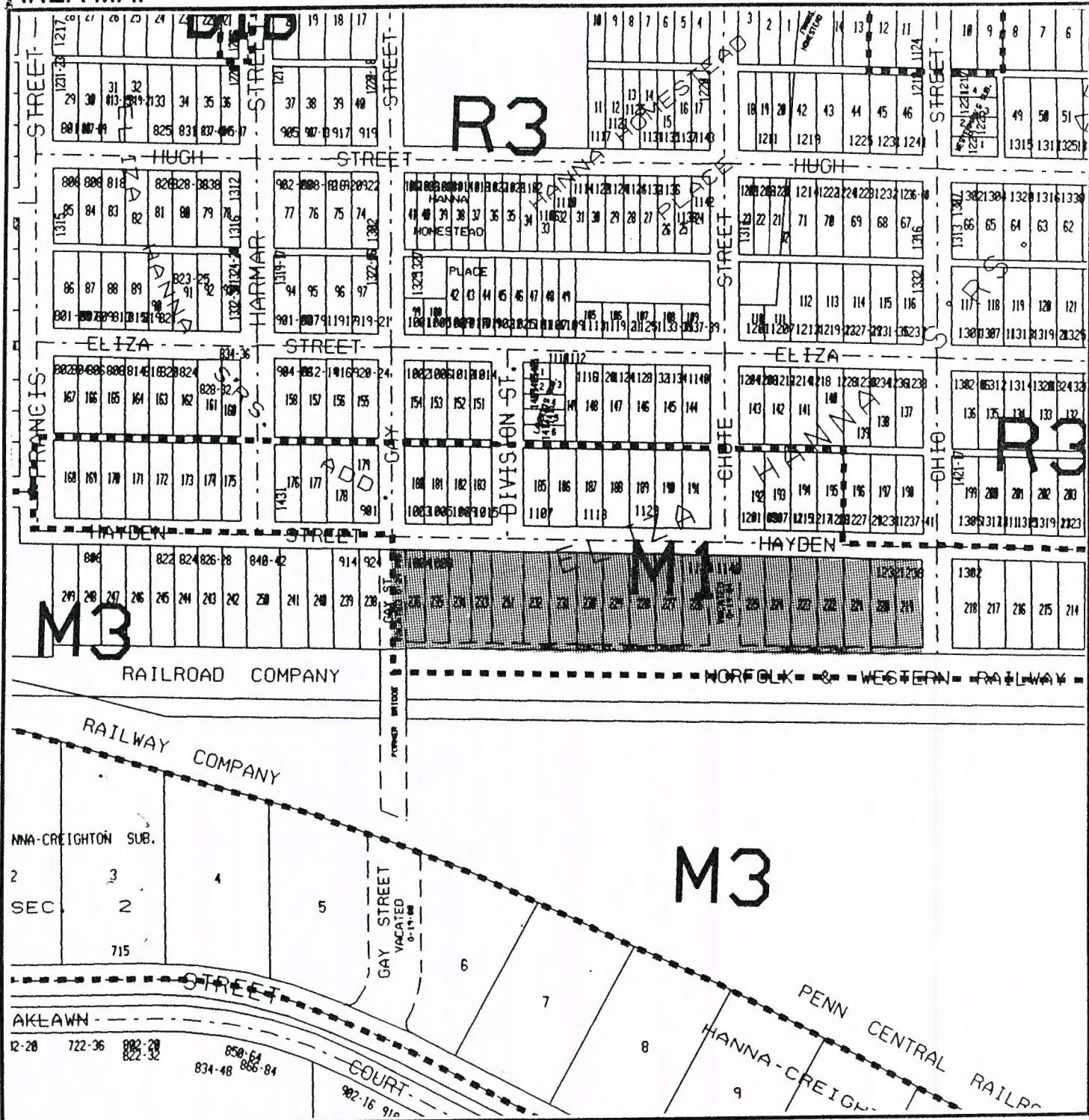


Carol Kettler Sharp
Secretary

REZONING PETITION

AREA MAP

CASE NO. #624



Map No. O-2
LW 1-02-97

COUNCILMANIC DISTRICT NO. 1

FACT SHEET

Z-97-01-05

BILL NUMBER

Division of Community
Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Map Amendment		
From M-1 to M-3		

DETAILS

Specific Location and/or Address 1140 Hayden Street	Reason for Project To allow future expansion of the Flashfold Carton facility.	POSITIONS	RECOMMENDATIONS
		Sponsor	City Plan Commission
		Area Affected	City Wide Other Areas
		Applicants/ Proponents	Applicant(s) RidgePak Corp., Flashfold Packaging Group City Department Other
Discussion (Including relationship to other Council actions) <u>27 January 1997 - Public Hearing</u>		Opponents	Groups or Individuals Basis of Opposition
Pete Hill, operations manager for Flashfold Corporation appeared before the Commission. Mr. Hill stated that recently they put an addition on to their building. He stated that when they did that, they reviewed all of the different things with regard to the building, OSHA, EPA and zoning. He stated that during that search they discovered that their entire property is zoned M-1. He stated that the building has been located on this property since sometime in the 1940's. He stated that technically M-1 would allow for a maximum size building of 15,000 sf. He stated that currently the building is just under 100,000 sf, so it has not been in compliance with the Zoning Ordinance for a number of years. He stated that they want to clear this up as a "house keeping issues". He stated that they currently have no plans for future construction.	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against	
There was no one present who spoke in favor of or in opposition to the proposed rezoning.	Board or Commission Recommendation	By	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass	

DETAILS

3 February 1997 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the seven (7) members present, six (6) voted in favor of the motion the Chair did not vote.

Motion carried.

Members Present: Linda Buskirk, Jim Dearing, DeDe Hall, James Hoch, Richard Pierce, Dave Ross, Carol Kettler Sharp

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 20 November 1996

Projected Completion or Occupancy

Date 5 February 1997

Fact Sheet Prepared by
Patricia A Biancaniello

Date 5 February 1997

Reviewed by


Date 7 February 1997

Reference or Case Number

#624

DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE 1140 Hayden Street

2-97-01-05

EFFECT OF PASSAGE Property is currently zoned M-1 - Light Industrial District. Property will be zoned M-3 - Heavy Industrial District.

EFFECT OF NON-PASSAGE Property will remain zoned M-1 - Light Industrial District.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE) _____

BILL NO. Z-97-01-05

*Held
March 4.*

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS E. HAYHURST - REBECCA J. RAVINE - CO-CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON REGULATIONS TO
WHOM WAS REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of
Fort Wayne Zoning Map No. 0-2

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Rebecca J. Hayhurst

Martin A. Boller

John W. Chapman

Deedee Hall

John T. Henry

DATED: *3-11-97.*

Sandra E. Kennedy
City Clerk